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BEFORE THE  
**Federal Communications Commission**

JUL - 2 1993

WASHINGTON, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of

AMENDMENT OF PART 22 OF THE  
COMMISSION'S RULES PERTAINING  
TO POWER LIMITS FOR PAGING  
STATIONS OPERATING IN THE 931  
MHZ BAND IN THE PUBLIC LAND  
MOBILE SERVICE

CC Docket No. 93-116

To: The Commission

**REPLY COMMENTS OF PACTEL PAGING**

PacTel Paging ("PacTel"), by its attorneys, hereby submits its reply comments in support of the Notice of Proposed Rule Making (the "Notice")<sup>1/</sup> which proposes increasing the maximum effective radiated power permitted for paging stations operating in the 931 MHz public land mobile service. The following is respectfully shown:

1. The Commission received six comments on the Notice<sup>2/</sup> and all but one enthusiastically supported increasing

<sup>1/</sup> 8 FCC Rcd 2796 (1993).

<sup>2/</sup> McCaw Cellular Communications ("McCaw"), PacTel Paging ("PacTel"), PagePrompt U.S.A. ("PagePrompt"), Paging (continued...)

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the effective radiated power on 931 MHz paging channels to 3500 watts E.R.P.<sup>3/</sup> The commenters concurred with the Commission that an increase in power will result in efficiencies in scale, reductions in cost, and create competitive parity.<sup>4/</sup> Given the overwhelming support from commenters with a wealth of relevant operating experience, the Commission should proceed with the proposal set forth in the Notice.

2. UTC, the sole opposing commenter, claims that the increase in power will create additional interference to multiple address systems ("MAS") operating in the 928 and 932 MHz bands. PacTel strongly disagrees. PacTel is currently a licensee of several channels in these bands which it uses as control channels for its paging systems. To date, PacTel has not experienced the problems of desensitization, noise, and intermodulation interference hypothesized by UTC. In fact, if such interference was a problem, PacTel would be certain to know because PacTel's receivers in these bands are co-located at numerous sites with 931 and 929 MHz paging transmitters.<sup>5/</sup> Based on PacTel's

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<sup>2/</sup>(...continued)

Network, Inc. ("PageNet"), Telocator, Utilities Telecommunications Council ("UTC").

<sup>3/</sup> UTC opposed the Notice on the grounds that the increase in power would result in substantial additional interference to existing multiple address systems at 928 and 932 MHz.

<sup>4/</sup> See Comments of McCaw at p. 2, PacTel at 2-4, PagePrompt at pp. 2-3, PageNet at pp. 3-5, and Telocator at pp. 2-3.

<sup>5/</sup> UTC's complaint seems to stem from the fact that the Commission currently proposes to reduce the power outputs allowed to MAS licensees. See, Comments of UTC, at p. 5.

operating experience, the Commission should reject UTC's arguments as it has done previously.<sup>6/</sup>

3. PageNet has proposed several revisions to the Commission's proposed rules: (1) to alter the current stair-step classification scheme to a formula,<sup>7/</sup> (2) to allow changes to facilities which do not affect classification to be done without any filing with the Commission,<sup>8/</sup> (3) to require changes of classification at perimeter stations to be made by filing FCC Form 401,<sup>9/</sup> and (4) to maintain the current height/power table for grandfathered systems.<sup>10/</sup> PacTel supports the first three PageNet suggestions, but believes that another approach may be more appropriate to address the problem PageNet seeks to resolve by its fourth proposal.

4. PageNet indicates that the Commission must maintain the existing height/power table for currently licensed facilities because of an anomaly between the height/power table and the station classification table.<sup>11/</sup> PacTel concurs that

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<sup>6/</sup> See, Memorandum Opinion and Order, GEN. Docket 82-243, FCC 90-64 (Released March 15, 1990).

<sup>7/</sup> Comments of PageNet at pp. 11-13.

<sup>8/</sup> Id. at 13-14.

<sup>9/</sup> Id. at pp. 14-15.

<sup>10/</sup> Id. at pp. 5-11.

<sup>11/</sup> PageNet shows that the Commission currently licenses a 600 watt perimeter transmitter at 1500 HAAT as Class L. The classification table, however, makes that facility a Class G station with correspondingly larger service area and interference contours. Comments of PageNet at pp. 6-9.

this anomaly exists and should be solved, but suggests another approach because PageNet's solution could generate a significant number of filings and create considerable work for the Commission and current licensees as they seek to sort out which facilities were grandfathered and which ones fall under the new classification scheme.<sup>12/</sup>

5. PacTel's proposed solution is to allow all current facilities to be classified under the appropriate station classification from the table in Section 22.502(c). All currently licensed facilities which are short-spaced would be grandfathered to the extent of the classification. For instance, two Class G stations separated by less than 116 miles would be grandfathered, but neither licensee could modify the facility so as to change the classification to increase the service contour or separation distance (e.g., not change it to Class F). The licensee, however, would be permitted to use the maximum amount of power available to that classification.<sup>13/</sup> PacTel believes this solution would solve the anomaly while at the same time minimizing the burden on the scarce Commission resources.

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<sup>12/</sup> For instance, under PageNet's proposal all current licensees could inundate the Commission with filings seeking to alter existing mountaintop sites insignificantly to garner the higher service area and interference contours.

<sup>13/</sup> In the example, the licensee of a 600 watt 1500 HAAT facility could increase power to 3500 watts without altering the classification.

6. The foregoing premises having been duly considered, PacTel respectfully requests that the Commission expeditiously adopt final rules reflecting PacTel's comments.

Respectfully submitted,  
**PACTEL PAGING**

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July 2, 1993

CERTIFICATE OF SERVICE

I, Tana Christine Maples, a secretary with the law firm Bryan Cave, do certify that on this 2nd day of July, 1993, I served copies of the foregoing "Reply Comments of PacTel Paging" by hand or by first class delivery, postage prepaid, upon the following:

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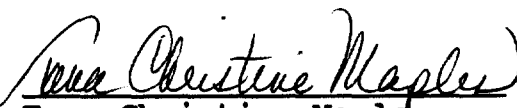
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